

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HIEN VI TU,

Petitioner,

V.

RON VAN BOENING,

Respondent.

Case No. C10-1362-RSL

ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS

The Court, having reviewed petitioner's petition for writ of habeas corpus, the briefs of the parties, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation.
2. Petitioner's petition for writ of habeas corpus (Dkt. No. 5) is DENIED and this action is DISMISSED with prejudice.
3. In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED with respect to all three claims asserted by petitioner in his federal habeas petition.

**ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS - 1**

4. The Clerk shall send copies of this Order to petitioner, to counsel for respondent, and to Judge Donohue.

DATED this 13th day of June, 2011.

Robert S. Lasnik
ROBERT S. LASNIK
United States District Judge

**ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS - 2**